

REMARKS

Introduction

This reply is submitted in response to the Office Action dated November 25, 2008. Claims 8, 10-15 and 17-18 are pending and currently stand rejected.

Claims 8, 10-15 and 17-18 were rejected 35 U.S.C. § 103(a) as being unpatentable over Dutta et al., U.S. Patent No. 6,615,212 ("Dutta") in view of Meltzer et al, U.S. Patent No. 6,226,675 ("Meltzer") and in view of Low et al., U.S. Patent No. 5,218,605 ("Low").

In light of the remarks presented below, applicants respectfully request reconsideration and allowance of all the pending claims of the present application.

Summary of Examiner Interview

Applicants' undersigned representative wishes to thank Examiner Duong for the courtesies extended during the telephonic interview on February 2, 2009. During the interview, the rejections of independent claims 8 and 14 were discussed along with the portions of Low cited in the Office Action. In particular, applicants' representative pointed out that Low fails to show or suggest the claimed features that the Office Action acknowledges are missing from Dutta and Meltzer. Although no final agreement was reached during the interview with regards to patentability, the Examiner said that the arguments submitted by applicants' representative were logical. The Examiner asked that this written reply to the Office Action include Remarks consistent with those made by applicants' representative during the Interview, so the Examiner may further consider them upon submission of this reply.

Response to Claim Rejections under 35 U.S.C. § 103(a)

Claims 8, 10-15 and 17-18 currently stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Dutta, Meltzer, and Low.

Independent claim 8 recites, "said parser front end determines the type of operation requested by the external device." Independent claim 14 recites "determining a type of operation requested by the external device." Applicants respectfully submit that these features are not taught or suggested by the cited documents, either alone or in combination.

On page 9 of the Office Action, the Examiner acknowledges that Dutta and Meltzer lack any disclosure related to “determining a type of operation requested by the external device.” To fill this void, the Examiner relies on Low. See the Office Action, pages 9-10.

In particular, the Examiner cites the portion of Low that says,

CHK_cmd sub-module 910 checks the composite data received by symbol interpreter module 314 to see if the composite data is an RD/RT command. If the CHK_cmd sub-module 910 determines that a command has been received, it sends the command to a CMD_parser sub-module 912, which verifies that a correct command was, in fact, received. The CMD_parser sub-module 912 then sends the command to the appropriate sub-module in the command processor module 316 for processing.

Low, col. 15, lines 23-32. “The RD/RT commands are commands which are directed at controlling the remote device 108, or are directed at controlling various aspects of the present invention.” Low, col. 6, lines 11-14.

Accordingly, these portions of Low, at best, suggest software that determines: (1) when it receives a locally-generated command (from an input component or test script file of the same system), and (2) that the command should be sent to a remote device (such as a visual display device). However, Low (like Dutta and Metzler) fails to specifically disclose any system or method for determining a type of operation requested by an external device, as recited by applicants’ independent claim 14 and similarly described in independent claim 8 (“said parser front end determines the type of operation requested by the external device”).

In addition to the distinguishing feature above, applicants respectfully submit that there are other features of the claimed invention that are lacking from Dutta, Meltzer and Low. In this regard, for example, independent claim 8 recites both “an internal web server” and “an external device.” On pages 5 and 6, the Office Action refers to originating server 614 of Dutta as corresponding to both applicants’ claimed external device and applicants’ claimed internal web server. Since the originating server cannot logically be both the external device with which the XML interface communicates and an internal server, Dutta fails to teach or suggest the claimed gateway device, at least because the originating server of Dutta cannot be both internal (e.g., corresponding to the internal web server) and external (e.g., corresponding to the external

device). Additionally, Meltzer does not include a disclosure related to an internal server and therefore fails to cure the deficiency of Dutta with respect to the internal web server, and Low does not disclose any servers or network communications. Accordingly, independent claim 8 is also patentable over the combination of Dutta, Meltzer and Low, at least for the additional failure of Dutta, Meltzer and Low to disclose an internal web server and external device in the manner provided by applicants' claims.

At least because Dutta, Meltzer and Low fail to teach or suggest the features described above of the respective independent claims, any combination of Dutta, Meltzer and Low also fails to disclose (at least) the respective features of independent claims 8 and 14 described above. Accordingly, independent claims 8 and 14 are patentable over Dutta, Meltzer and Low, whether taken alone or in combination. Claims 10-13, 15, 17 and 18 depend either directly or indirectly from independent claims 8 and 14, respectively, and thus include all the recitations of their respective independent claims. Thus, dependent claims 10-13, 15, 17 and 18 are patentable for at least the same reasons given above for independent claims 8 and 14.

Accordingly, for all the reasons stated above, applicants respectfully submit that the rejections of claims 8, 10-15, 17 and 18 have been overcome and should be withdrawn.

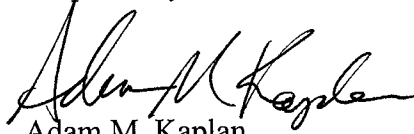
CONCLUSION

In view of the remarks submitted above, it is respectfully submitted that the present claims are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present invention.

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Reply to Office Action of November 25, 2008

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that an extension of time is necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee that may be required (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Adam M. Kaplan". The signature is fluid and cursive, with the first name "Adam" and last name "Kaplan" clearly distinguishable.

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